



Convention on the Elimination  
of All Forms of Discrimination  
against Women

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IMPLEMENTATION OF ARTICLE 21 OF THE CONVENTION ON  
THE ELIMINATION OF ALL FORMS OF DISCRIMINATION  
AGAINST WOMEN

Analysis of articles 7 and 8 of the Convention

Report by the secretariat

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## INTRODUCTION

1. The Committee on the Elimination of Discrimination against Women decided at its tenth session that it should prepare comments on particular articles of the Convention which would assist in the formulation of the Committee's general recommendations relating to those articles, in accordance with article 21 of the Convention.
2. The Committee decided to analyse articles 7 and 8 of the Convention at its thirteenth session in 1994.

### I. BACKGROUND

3. The terms of reference of the Commission on the Status of Women, formulated at its first session in 1947 (document E/90 of 1 July 1946), emphasized that its function is to "prepare recommendations and reports for the Economic and Social Council on promoting women's rights in political, economic, social and educational fields" with the objective of implementing the principle that men and women shall have equal rights, and to develop proposals to give effect to such recommendations. The aims of the Commission stressed women's equal participation in Governments and possibility to exercise all rights of citizenship, irrespective of race, language or religion, and assume all the duties of a citizen, which comprise: adult universal suffrage, the equal right to vote, to be elected and to hold public office. The Commission further listed other areas essential for women's equality such as civil rights (including marriage, guardianship, nationality, legal capacity, domicile), social and economic rights and education.
4. One of the first outcomes of the work of the Commission was the Convention on the Political Rights of Women of 1952, <sup>1/</sup> which stated explicitly that "Women shall be entitled to vote in all elections on equal terms with men, without any discrimination" (art. 1). They should also, on equal terms with men and without any discrimination, "... be eligible for election to all publicly elected bodies, established by national law" (art. 2) and "... be entitled to hold public office and to exercise all public functions, established by national law" (art. 3).
5. Articles 7 and 8 of the Convention on the Elimination of All Forms of Discrimination against Women constitute a natural extension of the previous work of the Commission on the Status of Women in the area of women's political participation.
6. Article 7 requires States parties to take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, to ensure to women, on equal terms with men, the rights to vote in all elections and public referenda and to be eligible for election to all publicly elected bodies; to participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government; to participate in

non-governmental organizations and associations concerned with the public and political life of the country.

7. Article 8 requires States parties to take all appropriate measures to ensure to women, on equal terms with men and without any discrimination, the opportunity to represent their Governments at the international level and to participate in the work of international organizations.

8. Articles 7 and 8 reiterate the principle of equality of women in participation in political life, accepted since 1947 by almost all countries of the world. In addition, they carry two important new dimensions. First, article 7 goes beyond restating the objectives of the Commission formulated at its first session in 1947 and the provisions of articles 1 to 3 of the Convention on the Political Rights of Women, and requires that States parties "... shall take all appropriate measures" to eliminate discrimination in all areas enumerated in article 7. Second, article 8 extends those obligations to the international arena which was not covered explicitly in the previous documents. Both articles 7 and 8 explicitly require an active approach by States in combating discrimination in political and public life, implying an application of specific measures. Thus, articles 7 and 8 should be seen and implemented in the context of articles 3 and 4, calling respectively for "appropriate" and "temporary special" measures aimed at de facto equality in all areas of life.

9. The fact that very few countries have entered reservations to articles 7 and 8 constitutes another confirmation that the principle of equality in political participation is well accepted. The few countries which reserved on those provisions related their reservations to the participation of women in the military service or linked their reservations to traditional practices of inheritance of the crown. For example, Belgium reserved on article 7 as far as its Constitution reserves for men the exercise of royal powers and for the sons of the King or, if there are none, for Belgian princes of the branch of the royal family in line to the throne, the function ex officio of senators from the age of 18, with entitlement to vote from the age of 25. Luxembourg and Spain made reservations on article 7 to the extent that it contradicts their constitutions with regard to the hereditary transmission of the crown. The only reservation based on religious grounds was made by Israel, which reserved on article 7 with regard to the appointment of women to serve as judges of religious courts, since this is prohibited by the laws of some religious communities in Israel.

10. Despite the nearly universal acceptance that women have equal rights to participate in political life and decision-making, the gap between this de jure equality and the de facto situation of women remains perhaps the greatest of all of the components of the Convention. The slow progress in the areas related to articles 7 and 8, which can be seen in other sources, is not reflected in the periodic reports to the Committee. Few States parties have reported on concrete measures meant to combat existing discrimination in the political sphere or to monitor the results of measures. There is a lack of analyses of the obstacles to the participation of women in country reports. Indeed, reporting under articles 7 and 8 has been mainly focused on the existence of non-discriminatory legislation. It is only recently that figures illustrating the percentage of

women in parliaments, governments and occasionally in different decision-making bodies have been provided. Nor has reporting on the participation of women in regional and local legislative and executive bodies; women in various types of ministries; in political parties and trade unions; in the military; as country representatives at the international level (bilateral and multilateral diplomacy) been common.

II. EXERCISE BY WOMEN OF THEIR RIGHTS UNDER ARTICLES 7 AND 8  
OF THE CONVENTION

A. Participation in elections, parliaments, governments  
and other legislative and executive bodies as well  
as in policy formulation at the national level

11. The lack of equitable participation by women in political decision-making has important consequences for both women and society. It deprives women of important rights and responsibilities as citizens. Women's interests and perspectives cannot be represented and protected at the policy-making levels. Women cannot influence key decisions, which has consequences for the whole society and future generations, for example, on national budgets, major reforms or socio-economic models to be chosen. This situation is not only discriminatory to women, but also disadvantageous to society, which is deprived of women's skills and distinctive perspectives. Existing research shows that if women are represented in large enough numbers in the decision-making arena (constituting what has been termed a critical mass, estimated at a level of at least 30 to 35 per cent in decision-making bodies), they have visible impact on the political style and the content of decisions. For example, in the Nordic countries, the only region where women have achieved a "critical mass" at the policy-making level, owing to pressure exerted by women, issues that had long been ignored such as equal rights, women's control over their own bodies, child care and protection against sexual violence, have gradually been incorporated into public national agendas and reflected in public budgets. Evidence for this has been mobilized in a number of United Nations studies. 2/

12. Women have the right to vote and hold office in almost every country of the world. Although the length of time they have had these rights ranges from 100 years in New Zealand to 13 in Vanuatu, most women have had that right for almost their entire adult lives. Women make up half of the electorate and regularly exercise their right to vote in a proportion which is in general similar to that of men. Despite this, relatively few women have been elected in the democratic process to the national legislatures and even fewer have reached top executive posts. Earlier United Nations studies have suggested that, to a certain extent, countries in which women have been able to stand for election for a longer period of time are somewhat more likely to have more women in parliament.

13. Women's participation in parliaments is closely linked to the participation of women in political parties and the role of women in parliamentary elections, both as voters and candidates. The proportion of women who stand for election is generally low and the proportion of women elected therefore is also low, although this differs from country to country and between regions. Because

voting is secret in most places, there are few data which would indicate whether women's voting patterns are different from men's. Public opinion polling data suggest that, at the margin, women may vote differently than men, but in general women's electoral choices have not differed much from those of men. However, there are recent indications that in some countries women are beginning to vote differently and, in close elections, determine the outcome. Argentina, Colombia, the Scandinavian countries, Austria, Germany and Poland are cases in point. In all those countries women, at least on some occasions, voted differently and gave clear preference to those parties which put forward female candidates, candidates clearly representing women's interests and perspectives, especially with regard to women's reproductive rights, social support services or participation in decision-making.

14. The need of parties to compete for votes has led many parties to promote women within their ranks and put them forward as candidates in order to gain the votes of the female electorate. That tactic on the part of some parties has forced other political parties to join in the competition and also put some women in visible positions. For example, the introduction of quotas in the 1980s in all five Nordic countries by a number of political parties induced other parties to put forward some female candidates. Some years later quotas were established by a number of parties in Germany and Austria. For example, in 1986 the Greens incorporated a provision into their constitution according to which at least half of the representation of all bodies and organs of the federal association of the party must be women. In 1988 the Social Democratic Party changed its organizational statutes to the effect that at least 40 per cent of either sex must be represented in the offices and functions of the party.

15. There appears to be a relationship between party rules, habits, structures, internal policies and the situation of women within the party. Factors such as openness and flexibility of structures, age limits and the incompatibilities of certain political positions proved to be favourable to the increased participation of women. Where women are equitably or favourably represented in party structures and promoted as candidates the proportion of women elected to parliament is similarly high. The situation of women is also affected by how candidates are chosen, either by local bodies or at the national level, as well as by the electoral system, either single-member district or a party list.

16. According to the latest systematic data of the Inter-Parliamentary Union (30 June 1993) the average participation of women in national parliaments world wide has declined from 13 per cent in 1989 to 10.3 per cent (single or lower chambers, based on analyses of 171 countries). In other chambers of parliaments the proportion of women is even lower and constitutes 8.6 per cent. The 10 countries with the highest percentage of women parliamentarians are: Seychelles (45.8 per cent); Finland (39.0 per cent); Sweden (33.5 per cent); Norway (39.0 per cent); Denmark (33 per cent); Netherlands (29.3 per cent); Iceland (23.8 per cent); Cuba (22.8 per cent); Austria (21 and 20 per cent) and China (21 per cent). The country-specific figures are changing as a result of more recent elections. The sharpest drop in the average parliamentary representation took place in the Eastern European countries and the former Union of Soviet Socialist Republics, from 26.6 per cent in 1987 to 10.8 per cent in 1990. This dramatic change is the major factor in the decline of the

international average and signals a significant shift in priorities in this part of the world. The paradox of the diminished women's participation in those countries as the outcome of free elections and democratization processes should be given serious consideration. In terms of regional distribution of seats in parliaments in 1990 the highest proportion of women was in countries of the Western European and Other group (14.3 per cent), followed by Eastern Europe (10.8 per cent) and Latin America and the Caribbean (9.3 per cent), with the lowest of Africa (7.2 per cent) and Asia and the Pacific (5.5 per cent).

17. A number of studies published in the late 1970s and 1980s point to the discrepancy in the distribution of female representatives between urban and rural areas within regions. For example, in cities with a population over 30,000 in France the participation of women elected to city councils was 20 per cent while in small towns it was 14 per cent; in Germany (the former Federal Republic of Germany) the figures were 14 per cent and 10 per cent respectively; in Sweden 50 per cent for Stockholm and 14 per cent for smaller towns. Large towns contain a greater number of politically active women than villages, where there is often a shortage of female candidates with broad professional backgrounds and experience and where the prejudice against women in public life is often stronger. The same tendency emerges with regard to local governments.

18. Reports to the Committee on the Elimination of Discrimination against Women, however, indicate that women have usually been more successful in winning places on local representative bodies than in national parliaments. In 10 out of 12 countries which reported on the subject (Argentina, Belarus (then the Byelorussian Soviet Socialist Republic), Colombia, Hungary, Jamaica, Mexico, Mongolia, New Zealand, Poland, Spain) the percentage in the local representative bodies was higher. One reason may be that local-level activities suit women's working style better and correspond more closely to their daily experience. For many women, community and grass-roots activities become extensions of their private sphere related, for example, to the involvement with the local school or kindergarten and concerns about environmental pollution and criminality in the neighbourhood.

19. In governments on average, at the end of 1990, only 4 per cent of cabinet ministers were women. The highest average percentage of women at the ministerial level was in the Western European and Other group of countries (7.5 per cent), followed by Latin America and the Caribbean (5.5 per cent). The lowest average participation was in Asia and the Pacific (2.2 per cent) and Africa (2.9 per cent). Women held no ministerial positions in 93 countries. When the four highest executive levels are considered (minister, vice-minister, secretary of state and director) women constituted 4.9 per cent world wide, with the highest levels in Latin America and the Caribbean (8.1 per cent) as against 7 per cent in the developed regions, 2.6 per cent in Asia and the Pacific and 3.4 per cent in Africa.

20. Among ministers and at the top four executive levels, women continued to be concentrated in social ministries (culture, social affairs, women's issues, education, social welfare). Women were almost absent from those positions in executive offices of heads of States and governments, foreign affairs, interior, defence, economic and legal affairs.

21. In the whole history of democratic elections only 21 women have been elected as head of State or Government in independent countries. They include presidents of the Philippines, Iceland,\* Nicaragua,\* Haiti, Bolivia, Argentina and Ireland;\* and prime ministers of the United Kingdom of Great Britain and Northern Ireland, Burundi,\* Dominica,\* France, Norway,\* India, Sri Lanka, Israel, Portugal, Poland, Pakistan,\* Canada, Turkey\* and the former Yugoslavia.

#### B. Participation in international decision-making

22. The Convention was the first international instrument which clearly addressed the issue of the participation of women at the international level as delegates and representatives of their own countries and in international organizations. Although discrimination in this area was striking there have been very few surveys on the subject. Research by the Division for the Advancement of Women showed, for example, that the permanent missions to the United Nations in New York, in 1989, had only 337 women in the diplomatic staff, out of a total of 1,695 (20 per cent). Sixty missions had no women among their diplomats. Only eight women held the rank of ambassador. These figures are being updated, but initial evidence suggests little change. The situation is similar or worse in specialized meetings that establish global goals and priorities. For example, at the first session of the ad hoc committee of the whole for the preparation of the International Development Strategy for the Fourth United Nations Development Decade, held at the United Nations Headquarters from 5 to 16 June 1989, there were 20 women delegates out of a total of 210 (9.5 per cent) and in 65 delegations out of 89 there were no women. The underrepresentation of women in those positions results from women's absence from the high positions in foreign affairs, the military and defence, as well as the top positions in the national civil service, as the appointees to those posts come through outside lateral recruitment.

23. The increasing internationalization of the contemporary world makes the employment of women in international organizations, whether governmental or non-governmental, more important. Governmental organizations of the United Nations system and various economic, political and military structures at the regional level became important international public employers. It is striking that in those organizations women are still in the minority and are concentrated at the lower levels, in supportive jobs. Even in the United Nations, which is expected to create a model for national public services, participation of women is low, although improvement is taking place. Prior to the first review and appraisal of the Nairobi Forward-looking Strategies for the Advancement of Women, in December 1988 women constituted 28 per cent of Professional employees of the United Nations Secretariat, but only 5.2 per cent among its senior managers (D-2 and above). In the entire United Nations system (including its specialized organizations) women constituted 23 per cent and 3.6 per cent respectively. The new Secretary-General, Boutros Boutros-Ghali, called for a 50/50 gender breakdown among higher management staff by 1995 and appropriate administrative instructions were issued. As of 30 June 1993 women constituted

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\* Current.

31.3 per cent of the Professional employees on the posts subject to geographic distribution and 14.3 per cent of under-secretaries-general, 6.7 per cent of assistant secretaries-general and 14.3 per cent of D-2s.

24. The question as to why the representation of women in the Secretariat has been and is so unequal has been discussed within the United Nations for some time. The Steering Committee for the Improvement of the Status of Women in the Secretariat, appointed by the Secretary-General, concluded that women on average have spent longer periods in the same grade before promotion; have had their level of initial appointment at a lower level; may not have been given the kind of varied career deemed necessary for promotion to management levels; have faced negative attitudes from supervisors and heads of departments about the promotion of women; and have had insufficient access to training programmes, attendance at substantive meetings, duty travel and temporary assignments. Women have been recruited mainly into occupational categories such as general administration, library, language- and women-related posts, where career patterns are limited by the existing grade structure. The situation of female Professionals in the Division for the Advancement of Women, which has one of the worst current records for the promotion of women in the entire United Nations system, is a case in point. Thus, women have hardly been represented at the senior management levels from which the Secretary-General draws top managers.

25. However, recent progress can be noted at the level of middle and senior Professional posts. This has resulted from a number of steps to achieve affirmative action in recruitment and promotion. In 1991, the Secretary-General endorsed the measures recommended in the fifth report of the Steering Committee for the Improvement of the Status of Women in the Secretariat (ST/SGB/237). The report set forth new targets of 35 per cent for women in posts subject to geographical distribution by 1995, and 25 per cent in posts at the D-1 level and above by 1995. In those departments which have not met those targets, vacancies should be filled, when there are one or more female candidates whose qualifications match all the requirements for a vacant post, with one of those candidates. Recruitment should follow the same pattern. The exceptions relate to cases when the post is filled through a competitive examination or where the post has been vacant for 18 months (since 1992, 12 months) and despite the best efforts there are no female candidates.

26. Administrative instruction ST/AI/382 of 3 March 1993 endorsed all previous decisions related to the improvement of the status of women in the Secretariat and further decided to increase the pool of qualified women through consideration of all qualified women currently in the service of the Organization under any type of appointment or as consultants with at least one year experience in the United Nations system, as internal candidates. All recommendations for filling posts must be accompanied by the explanation of how they would affect the representation of women. The cumulative seniority provisions endorsed by the Secretary-General in 1986 should be applied. Other measures which are still in force include a publicity and information campaign; development of rosters of suitable candidates for various types of posts; identification of female candidates for national competitive examinations, especially in regions with low proportions of female staff members, as well as suitable candidates for higher posts; monitoring of promotion, reclassification and redeployment procedures; creation of special posts to monitor the

recruitment and career development of women in the Secretariat; issuance of policy guidelines on the creation of conditions conducive to the full integration of women in the Secretariat; and the institution of a number of measures designed to overcome past inequalities.

27. The affirmative action programme undertaken by the United Nations provides some guidelines to other international organizations as well as Governments at the national level, with regard to the civil service careers. The elaboration and adoption of the proper rules of the international civil service should enable the organizations to avoid gender discrimination in both recruitment and career development patterns, as well as avoid existing national barriers in this respect.

### C. Women in the military

28. The accessibility of the military service to women has rarely been reported on by the States parties to the Convention. Some countries, however, have made reservations to various provisions of the Convention, including its articles 7 and 8, with regard to the participation of women in the military service. For example, Australia made a general reservation on the applicability of the Convention as far as it would require alteration of its defence force policy which excluded women from combat and combat-related duties. However, discussions aimed at defining those duties are under way in Australia. Austria reserved on article 7 (b) as far as service in the armed forces is concerned. Germany considered this article invalid to the extent that it contradicts the constitution of Germany which bans women from service involving the use of arms. New Zealand reserved the right not to apply the provisions of the Convention in so far as they are inconsistent with policies relating to recruitment into or service in the armed forces, in particular the requirement to serve on armed forces aircraft, vessels and in the situations involving armed combat, or in situations involving violence or the threat of violence. Thailand reserved that article 7 of the Convention can be applied only within the limits established by its national laws, regulations and practices, as far as national security, maintenance of public order, service and employment in the military or paramilitary are concerned.

29. The military is important to women in their role as citizens. However, many men and women think it is "men's business". The historical reservation of military roles to men is largely the result of social construction. It has been argued that military service is built into male rites, maintaining the separation between men's and women's roles and stereotypes as "the protectors" and "the protected". What is often overlooked is that the military is an integral part of any political system: Governments have a military; economic dependence on the military is widespread. The military varies widely. In some countries it is understood to have a domestic function, in other countries to provide for the country's security against outsiders. In the democratic systems, the military is subordinated to the elected Government. In other countries it may control the Government.

30. Since the military constitutes an important element of State order, decision-making and governance, all citizens should be concerned about the kind

of military they have. By being outside the military, women cannot be involved in the decisions related to the use of military forces, changes in the military institutions and overall control over its performance. The military accounts for a large portion of public expenditure, constitutes an important employer and provides career opportunities and training, which can often lead to other than military careers as well.

31. No systematic country data exists on women in the military. The largest amount of data exists on the States members of the North Atlantic Treaty Organization (NATO) and the Western European Union. <sup>3/</sup> Half of those countries have legislation or policies excluding women from combat, although women's service has been encouraged and is for the same length of time and the same pay and includes the same training and discipline as that of men. Most rules permit pregnant women to remain in military service; most provide paternal or maternal leave and half provide child care; most limit the rank that women can achieve. Differing rules do not seem to have an impact on participation rates. For example, Canada, which has an egalitarian approach, has only 12 per cent of women in the military. The United States, which prohibits women's service in combat, has 11 per cent. In 5 of the countries the participation is 2 to 4 per cent; in 8 of the 15 it is negligible.

32. Research in 45 other countries shows that only in 3 countries do women make up more than 10 per cent of service members. In most countries women perform different functions. Even in countries where women can serve as regular members of a State military, there is usually a restriction on combat. Israel, where service is mandatory for women, is a case in point. In only a few countries is the combat role open. They include Belgium, Canada, Luxembourg, the Netherlands, Norway, Venezuela and Zambia. No detailed information is available on the two latter countries. In four of the other five the total number of women serving is a little over 1,000 per country. A majority of them are not in combat units. Canada represents the major experiment: it has recently removed all restrictions based on gender except for service in certain submarines. Women represent 12 per cent of those on active duty and 20 per cent of the reserves, but few are in combat specialities. The principal opening for women officers is as medical personnel. Enlisted women serve in clerical and administrative positions.

33. The issue of the participation of women in the military takes on a particular meaning in peace-keeping, the main purpose of which is to avoid or to defuse conflict in order to permit a peaceful solution. The absence of women among military personnel in United Nations peace-keeping forces reflects the absence of women in the military of those countries which provide troops to the peace-keeping operations. Women, however, have been active participants of those operations at the civilian level. In December 1992, two of the United Nations peace-keeping operations (Angola and South Africa) were headed by women from the United Nations Secretariat, and a relatively high percentage of civilian monitors, administrators and other personnel seconded from the Professional category were women.

34. As peace-keeping increases in importance, the question will need to be raised whether the exclusion of women from many peace-keeping tasks is acceptable. Given the fact that peace-keeping differs in many ways from the

traditional military and involves characteristics related to conflict resolution, an increased presence of women could make some difference.

### III. OBSTACLES TO IMPLEMENTATION

35. In general, the reports of States parties to the Committee do not provide analyses of obstacles to the political participation of women. Thus, obstacles have been identified and analysed in the number of documents prepared by the Division for the Advancement of Women. Major obstacles are identified in the Nairobi Forward-looking Strategies for the Advancement of Women. 4/ They include the prevailing unequal division of household duties, the provision of child care and care for the elderly, economic dependency and the prevailing inequality in almost all spheres of life, including violence against women as its extreme form. Those obstacles particularly hinder the participation of women in political life.

36. Women's double burden, combined with the long and non-flexible time requirements of political parties and parliaments, prevent women from being more active in political participation. Prevailing negative attitudes towards women's political participation and a lack of confidence and support for female candidates on the part of the electorate, including women, constitute another obstacle. In addition, some women do not like to take part in politics, which they consider distasteful, and do not wish to be subjected to political campaigns and media stereotyping, including the application to them of different criteria than men. The absence of women in professions from which politicians are recruited (lawyers, university teachers, political scientists) can create another handicap.

37. A civil service career offers another possibility for women to rise to decision-making levels. The data on the subject is limited, but it shows constraints on the participation of women at the senior levels of the civil service, owing to specific obstacles. These obstacles include: a lack of adequate recruitment and promotion mechanisms which prevent women from entering the civil service at levels corresponding to their qualifications and from being promoted without discrimination; the prevalence of "closed" recruitment and promotion systems, often based on patronage, without clear requirements to entry or promotion; bias in job evaluation and classification; insufficient appeal mechanisms and a general absence of women from appeal bodies as well as selection, appointment and promotion panels; unequal opportunities for career and training development; the marginalization of women in some areas of the civil service traditionally considered as related to women, or in positions intended to implement affirmative action policies.

### IV. FACTORS CONDUCTIVE TO THE INCREASED PARTICIPATION OF WOMEN

38. An examination of the characteristics of those countries where women have an above-average level of participation suggests several factors that might be related to better access. 5/ One of them is the positive correlation between the percentage of women in parliaments and in high-level government positions,

in particular in ministerial-level positions. This means that there is an interdependency between the number of women in parliaments and governments, which is partly influenced by the situation in the Western industrialized countries where the parliament is a major source of recruitment of ministers.

39. Another factor is education, in particular at the university level. Since most political leaders are recruited from the educated and professional groups, the ratio of women to men in enrolment in third-level education in 1970 is reflected by the higher proportion of women in decision-making in parliaments and Governments in 1987. The extent to which women will be able to participate in politics is also linked to the participation of women in the formal economy. Despite regional variations, women are more likely to be in parliament in those countries where women are also in the workplace. The type of employment that women typically have is also important. Two types of occupation are particularly important in this context: professional or technical and administrative or managerial. There are also some professions from which top decision makers are recruited: lawyers, "professional" politicians, leading journalists and academics specialized in relevant fields.

40. Other important factors relate to the general status of women in the country and access to power and high-level decision-making. For example, the highest proportions of women in parliaments are found in the countries where women had the right to vote before 1940; in the countries with a long tradition of democracy, political competition, concern for women's legal rights, open attitudes to discussing women's issues, a tradition of respecting women's right to free choice in all spheres of life and a high level of legal literacy and knowledge of women's reproductive rights. One more important correlation should be noted, namely between the participation of women in decision-making and adherence to the Convention. Countries that have signed or ratified the Convention without religious or cultural reservations have higher average percentages of women in decision-making, whether in governments or parliaments.

#### V. TEMPORARY MEASURES

41. Article 4 of the Convention states that "adoption by States Parties of temporary special measures aimed at accelerating de facto equality between men and women shall not be considered discrimination as defined in the present Convention, but shall in no way entail as a consequence the maintenance of unequal or separate standards; these measures shall be discontinued when the objectives of equality of opportunity and treatment have been achieved". Articles 7 and 8 refer implicitly to article 4, when they state that the State parties should undertake "all appropriate measures" to eliminate discrimination.

42. General recommendation 5, adopted in 1988 in relation to article 4, concluded that "States parties should make more use of temporary special measures such as positive action, preferential treatment or quota systems to advance women's integration into ... politics". A review of the reports of States parties to the Convention suggests the variety of approaches that exist.

43. A few States recognize positive action as lawful in their constitutions (Greece) and other basic acts (Sweden). In Austria, France and Belgium, public

authorities have taken a number of measures to promote equal opportunities for women in the civil service. In Austria, programmes to promote women in politics and in managerial posts were established. As a result, some progress has been noted with regard to the number of women in decision-making, in particular in rural decision-making bodies. In France, according to a 1982 act, special instructions were issued to public service departments pointing out that both sexes should be represented at the selection boards; diversified promotion criteria should be established in order to ensure real equal opportunities; and job descriptions should not discourage either potential male or female candidates. In the United Kingdom, experiments have taken place at the local level of government focused on changing recruitment and selection procedures; training; promotion and career policies; personnel policy; as well as changing the mentality of the people in charge, in particular the women themselves, and the trade unions. In Austria, Sweden, Portugal, the United Kingdom of Great Britain and Northern Ireland and Norway, positive action programmes also include measures aimed at increasing public awareness, changing attitudes and behaviour concerning equality and gender.

44. In some countries special measures and programmes have been introduced that aim at a qualitative and quantitative increase in women's political participation. They targeted political parties, parliaments, trade unions, governing boards of various institutions in the public sector and the civil service. The political parties in some countries established percentage quotas for women, including their governing bodies (i.e. Austria, Germany, Denmark, Sweden, Norway, Iceland, Finland, the Netherlands, Venezuela, Spain, Israel). Some parties introduced women's sections to promote women's interests (Cameroon, Canada, Gabon, Japan, Mexico, Rwanda, Spain, Sri Lanka, Zimbabwe). These measures are controversial and according to some sources contribute to women's alienation within political parties rather than to an increase in their role through training and the elaboration of women's strategies. Other measures included special recruitment campaigns for women in political parties (i.e. Ecuador, Fiji, India, the Netherlands, Spain, United Kingdom of Great Britain and Northern Ireland). Similar campaigns were organized by trade unions in those countries.

45. Other regulations included quotas reserving a minimum number of seats in parliaments to women. Such a regulation was practised in the past in Egypt and is applied in Argentina (at least 30 per cent in the Parliament) and in Tanzania (at least 15 per cent in the Parliament and 25 per cent in local councils). In Bangladesh special measures have been taken to introduce a female quota in local bodies and in the Parliament. Efforts have been made to elaborate laws that would include parity quotas in the selection of candidates for office in Costa Rica and Argentina. The Argentinian experience has been particularly positive: it has led to a significant increase in the representation of women in Parliament in the most recent elections, in all of the major parties.

46. The most prominent example of high participation of women in decision-making, according to most indicators, is provided by Norway. Norway has a strong tradition of group representation and bargaining in politics. The acceptance of the fact that women have specific interests and that traditional "women's issues" belong on public agendas led to the recognition of the need for having those issues and interests represented by women themselves.

Consequently, women became a part of the negotiating process taking place in Parliament and other public bodies where different interest groups met and decided on power-sharing and organization-based influence. The demand of women for a fair share of power led to an alliance between organizations and groups outside the political parties and in women's factions within parties, the objective being to increase women's representation.

47. In 1970, after a series of campaigns in connection with national and local elections, there was what was termed a "women's coup", which resulted in a majority of women being chosen to serve on three large local councils, including the Oslo council. Although that majority did not last long it demonstrated the power of women's coordinated action; it proved that common women's concerns exist and that they need to be articulated by women on behalf of women.

48. Since then, women's issues have been further strengthened on the national and local agendas, gender has been accepted as a politically relevant category, certain traditional care services performed by women have been transferred to the State and paid from its budget and quotas for women have been introduced in public commissions and boards, as well as some political parties. The 1988 revision of the Norwegian Equal Status Act of 1981 provided that in public commissions and boards each sex should be represented by at least 40 per cent of the members and that in committees with less than four members, both sexes should be represented. The result was that at present women constitute 35 per cent of all public boards and commissions (compared with 7 per cent in 1967 and 17 per cent in 1977) and hold half of the ministerial posts in the Government of Prime Minister Gro Harlem Brundtland.

49. The practice followed in Norway of setting gender quotas for boards and committees was also introduced in the 1980s in other Nordic countries. That action has led to an increase in the proportion of women. In the case of Denmark, for example, the proportion increased from 9 per cent in 1975 and 1980, to 38 per cent in 1990. In Finland, after the adoption of the 1986 Equality Act, both men and women have to be elected to all municipal bodies, in addition to governmental committees, with the representation of at least 40 per cent of each gender. In Sweden, the Bill on Equality Policy has established goals of 30 per cent of women on the boards of public bodies and committees by 1992, and 40 per cent by 1995.

50. The successful application of quotas in the Nordic countries should be seen in the context of that region, where such values as justice, equality and the proper representation of group interests were rooted in political tradition, where women's status and rights were well-established, where there was an awareness of women's issues and of the priority of such issues on public agendas. Under those circumstances, the introduction of quotas as a result of conscious and consolidated action by women brought rapid results and helped to remove the effects of past discrimination in some areas of political participation.

51. There are, however, situations where quotas can be perceived rather as a ceiling or viewed as a non-democratic measure. For example, in Belgium, the majority of the traditional parties introduced quotas under the pressure of women's sections of those parties. As a result, a minimum presence of women was

ensured in the party organs. Afterwards, however, the situation did not develop any further. There is the experience of Egypt, where reserved seats for women in Parliament led to the abolition of the provision. In the former Eastern European countries, the high participation of women in parliaments resulted from the concept of interest-group representation at the parliamentary level. Thus, workers, women, youth and all professional groups which accepted the principle of the leading role of the communist party and its uncontested impact on key decisions were supposed to have a certain percentage of seats. With the abolition of those political systems, the concept of group representation was dismissed and women's interests and issues denied, often even being viewed as part of the old ideology. De facto quotas for women vanished, leading to a rapid decrease in the participation of women in parliaments.

52. In general, the introduction of quotas as a form of affirmative action remains a controversial measure. Its opponents question its limiting character and non-democratic nature. Its supporters consider it the most efficient measure they have used. There is, however, an increasing consensus that corrective mechanisms are needed to redress the prevailing inequalities and discrimination in political participation and that some form of affirmative action should be taken.

## VI. CONCLUSIONS

53. Two sets of recommendations can be made. The first one relates to concrete measures which should be undertaken in implementing articles 7 and 8 of the Convention. The implementation should focus on actively combating discrimination against women in all areas of political participation specified by the Convention. Member States are obliged to take measures to redress the situation and those measures should be designed in connection with articles 3 and 4. Since discrimination in this area prevails owing to a discrepancy between the de jure and de facto situation of women, the focus should be placed on the fastest and most efficient measures available to bridge this gap. Existing affirmative action measures, quota systems and successful national experiences should be reviewed with the objective of implementation, to the extent possible, by other countries.

54. All factors which are considered conducive to the participation of women in politics should be reinforced, including education and employment. However, much more emphasis should be given to the kind of education which young people receive. Sex- and job-related stereotypes should be eliminated from the curricula, teaching programmes and mass media; girls and young women should be encouraged to join in politics and to develop skills useful in public life. Education should also be aimed towards raising the awareness of future generations of prevailing gender discrimination and the need to eradicate it; it should focus on freedom of choice in all spheres of life for both boys and girls; and stress the value of equality of opportunity and partnership relations between people. Special attention should be given to the organization of civic education, stressing the obligations and the rights of citizens of both genders.

55. At the conceptual level, the notion of democracy should be further discussed and developed to include a gender component. The question should be

raised whether societies and countries can really be called "democratic" if women are excluded from decisions determining their future. In this context, all available statistics on the participation of women in public life and decision-making should be broadly and regularly publicized. Attempts should be made to reflect the state of the art in all areas related to political participation, through provision of gender statistics, information on adopted policies, their implementation and effects.

56. Periodic reports to the Committee should be much more focused on the appropriate measures which have been undertaken by States and their concrete results. In addition, the latest statistical information extended to all areas relevant to the political participation of women should be prepared on the premise that the very right of participation is well established and not controversial. Thus, action aimed at radical change in the prevailing disparity is the key issue which should be both addressed and reported on.

#### Notes

1/ Resolution 640 (VII), annex.

2/ Report of the Secretary-General on the priority themes: Equality: Equality in political participation and decision-making (E/CN.6/1990/2); report of the Secretary-General on the priority themes: Peace: Equal participation in all efforts to promote international cooperation, peace and disarmament (E/CN.6/1992/10); Women in Politics and Decision-making in the Late Twentieth Century (United Nations publication, Sales No. E.91.IV.3).

3/ Data assembled for the report of the Secretary-General on women in the peace process (E/CN.6/1993/4).

4/ Report of the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace, Nairobi, 15-26 July 1985 (United Nations publication, Sales No. E.85.IV.10), chap. I, sect. A.

5/ Reported in Women in Politics and Decision-making in the Late Twentieth Century (United Nations publication, Sales No. E.91.IV.3).

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